United Nations Convention on the Law of the Sea CLCS/106

Commission on the Limits of the Continental Shelf

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New York, 15 October–30 November 2018

Progress of work in the Commission on the Limits of the Continental Shelf

Statement by the Chair

Summary

The present statement provides information on the work carried out during the forty-eighth session of the Commission on the Limits of the Continental Shelf. In particular, it contains an overview of the progress made in the examination of the submissions made by the Russian Federation in respect of the Arctic Ocean (partial revised submission); Brazil in respect of the Brazilian Southern Region (partial revised submission); France and South Africa, jointly, in respect of the area of the Crozet Archipelago and the Prince Edward Islands; Kenya; Nigeria; France in respect of Reunion and the Saint-Paul and Amsterdam islands; Côte d'Ivoire; Sri Lanka; Portugal; and Tonga in respect of the eastern part of the Kermadec Ridge.

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I. Introduction

1. Pursuant to the decision adopted at its forty-fourth session (CLCS/100, para. 91), as endorsed by the General Assembly in its resolution 72/73 (para. 102), the Commission on the Limits of the Continental Shelf held its forty-eighth session at United Nations Headquarters from 15 October to 30 November 2018. The session was entirely devoted to the technical examination of submissions at the geographic information systems laboratories of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the Secretariat.

2. The following members of the Commission attended the session: Adnan Rashid Nasser al-Azri, Lawrence Folajimi Awosika, Aldino Campos, Wanda-Lee De Landro-Clarke, Ivan F. Glumov, Martin Vang Heinesen, Emmanuel Kalngui, Mazlan bin Madon, Estevão Stefane Mahanjane, Jair Alberto Ribas Marques, Marcin Mazurowski, Domingos de Carvalho Viana Moreira, David Cole Mosher, Simon Njuguna, Yong Ahn Park, Carlos Marcelo Paterlini, Clodette Raharimananirina, Toshitsugu Yamazaki and Gonzalo Alejandro Yáñez Carrizo.[1]

3. The Commission had before it the following documents:

(a) Statement by the Chair on the progress of work in the Commission at its forty-seventh session (CLCS/105);

(b) Submissions made by coastal States[2] pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea, including related communications.

II. Consideration of the partial revised submission made by the Russian Federation in respect of the Arctic Ocean[3]

Progress in the work of the subcommission

4. The subcommission, chaired by Mr. Madon, met from 22 October to 2 November. During that period, it continued the main scientific and technical examination of the submission.[4]

5. The subcommission held three meetings with the delegation of the Russian Federation, during which it made a presentation on the progress of its work to date, and the delegation made presentations in response to it. The subcommission took note of the views of the delegation and addressed a communication to the delegation in which it outlined the progress of its work at the current session.

6. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission at the forty-ninth session, which would include meetings with the delegation.

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[1] For health-related reasons, Mr. Glumov attended the session from 29 October to 23 November 2018. For personal reasons, Mr. Marques attended the session from 15 October to 29 November 2018.

[2] For a full list of the submissions made to the Commission on the Limits of the Continental Shelf, see www.un.org/Depts/los/clcs_new/commission_submissions.htm.

[3] Submission made on 3 August 2015; available at www.un.org/depts/los/clcs_new/submissions_files/submission_rus_rev1.htm.

[4] For information on the modus operandi established for the consideration of a submission made to the Commission, see annex III to the rules of procedure of the Commission (CLCS/40/Rev.1).

7. The meetings of the subcommission during the forty-ninth session will be held from 25 February to 1 March and from 11 to 15 March 2019.

III. Consideration of the partial revised submission made by Brazil in respect of the Brazilian Southern Region[5]

Progress in the work of the subcommission

8. The subcommission, chaired by Mr. Awosika, met from 15 to 19 October and from 19 to 30 November. During that period, it continued the main scientific and technical examination of the submission.

9. The subcommission held three meetings with the delegation of Brazil, during which it made a comprehensive presentation to the delegation on its views and general conclusions arising from the examination of the submission, pursuant to section 10.3 of annex III to the rules of procedure of the Commission (CLCS/40/Rev.1). The delegation, in its turn, made a presentation to the subcommission, pursuant to section 10.4 of annex III to the rules of procedure.

10. The subcommission proceeded to prepare its recommendations, pursuant to section 10.5 of annex III to the rules of procedure.

11. The subcommission decided that it would resume its consideration of the submission at the forty-ninth session, with a view to finalizing its draft recommendations.

12. The meetings of the subcommission during the forty-ninth session will be held from 28 January to 1 February 2019.

IV. Consideration of the joint submission made by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands[6]

Progress in the work of the subcommission

13. The subcommission, chaired by Mr. Njuguna, met from 21 to 30 November. During that period, it continued the main scientific and technical examination of the submission, focusing in particular on the analysis of the data and information received during the forty-seventh and forty-eighth sessions.

14. No meetings were held with the joint delegation of France and South Africa. At the end of the session, the subcommission transmitted a document conveying its views with respect to the partial response provided by the joint delegation during the forty-seventh and forty-eighth sessions in relation to the document transmitted by the subcommission, on the understanding that that document replaced the presentation requested under section 10.3 of annex III to the rules of procedure.

15. The subcommission decided that it would resume its consideration of the submission during the forty-ninth session.

16. The meetings of the subcommission during the forty-ninth session will be held from 28 January to 1 February 2019.

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[5] Submission made on 10 April 2015; available at www.un.org/Depts/los/clcs_new/submissions_files/submission_bra_rev.htm.

[6] Submission made on 6 May 2009; available at www.un.org/Depts/los/clcs_new/submissions_files/submission_frazaf_34_2009.htm.

V. Consideration of the submission made by Kenya[7]

Progress in the work of the subcommission

17. The subcommission, chaired by Mr. Heinesen, met from 5 to 16 November. During that period, it continued the main scientific and technical examination of the submission.

18. No meetings were held with the delegation of Kenya. During the session, however, the delegation submitted data and information in partial response to the requests for clarification made by the subcommission during the forty-seventh session. At the end of the present session, the subcommission transmitted its observations and comments based on its examination of the data and information submitted to date.

19. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission at the forty-ninth session, which would include meetings with the delegation.

20. The meetings of the subcommission during the forty-ninth session will be held from 11 to 22 February 2019.

VI. Consideration of the submission made by Nigeria[8]

Progress in the work of the subcommission

21. The subcommission, chaired by Mr. Mahanjane, met from 22 October to 2 November. During that period, it continued the main scientific and technical examination of the submission.

22. No meetings were held with the delegation of Nigeria during the session. At the end of the session, the subcommission transmitted its views and conclusions based on its examination of the data and information submitted to date.

23. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-ninth session.

24. The meetings of the subcommission during the forty-ninth session will be held from 25 February to 1 March and from 11 to 15 March 2019.

VII. Consideration of the submission made by France in respect of Reunion and the Saint-Paul and Amsterdam islands[9]

Progress in the work of the subcommission

25. The subcommission, chaired by Mr. Mosher, met from 22 October to 2 November. During that period, it continued the main scientific and technical examination of the submission, in particular the data and information supplied by the

[7] Submission made on 6 May 2009; available at www.un.org/Depts/los/clcs_new/submissions_files/submission_ken_35_2009.htm.

[8] Submission made on 7 May 2009 and amended on 18 November 2016; available at www.un.org/Depts/los/clcs_new/submissions_files/submission_nga_38_2009.htm.

[9] Submission made on 8 May 2009; available at www.un.org/depts/los/clcs_new/submissions_files/submission_fra_40_2009.htm.

delegation during the forty-seventh session and new data and information supplied by the delegation during the forty-eighth session.

26. No meetings were held with the delegation of France. The subcommission transmitted to the delegation observations on the data and information that the latter had supplied and it invited the delegation to provide additional information and clarifications.

27. The subcommission decided that its members would continue to work on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-ninth session, which would include meetings with the delegation.

28. The meetings of the subcommission during the forty-ninth session will be held from 25 February to 1 March and from 11 to 15 March 2019.

VIII. Consideration of the submission made by Côte d'Ivoire[10]

Progress in the work of the subcommission

29. The subcommission, chaired by Mr. Mahanjane, met from 5 to 16 November. During that period, it continued the main scientific and technical examination of the submission, including additional data and information received during the intersessional period.

30. The subcommission held four meetings with the delegation of Côte d'Ivoire, during which the latter made two presentations and provided its responses to the requests for clarification that had been made by the subcommission at the forty-seventh session. The subcommission made two presentations in response to those made by the delegation. In addition, the delegation transmitted additional information in response to the preliminary request for clarification that had been made by the subcommission at the present session, during the first meeting. Following the meetings, the subcommission transmitted preliminary views and general observations on a number of issues to the delegation and requested some additional material.

31. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-ninth session, which would include meetings with the delegation.

32. The meetings of the subcommission during the forty-ninth session will be held from 11 to 22 February 2019.

IX. Consideration of the submission made by Sri Lanka[11]

Progress in the work of the subcommission

33. The subcommission, chaired by Mr. Yáñez, met from 5 to 16 November. During that period, it continued the main scientific and technical examination of the submission.

34. The subcommission held three meetings with the delegation of Sri Lanka, during which several presentations were made, including with regard to additional

[10] Submission made on 8 May 2009 and amended on 24 March 2016; available at www.un.org/depts/los/clcs_new/submissions_files/submission_civ_42_2009.htm.

[11] Submission made on 8 May 2009; available at www.un.org/depts/los/clcs_new/submissions_files/submission_lka_43_2009.htm.

information provided by the delegation in response to requests for clarification made by the subcommission at the forty-seventh and forty-eighth sessions. The subcommission subsequently transmitted to the delegation a summary of the status of its consideration of the submission, highlighting pending issues.

35. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-ninth session.

36. The meetings of the subcommission during the forty-ninth session will be held from 11 to 22 February 2019.

X. Consideration of the submission made by Portugal[12]

Progress in the work of the subcommission

37. The subcommission, chaired by Ms. De Landro-Clarke, met from 15 to 19 October and from 19 to 30 November. During that period, it continued the main scientific and technical examination of the submission. It also considered the response by the delegation, received during the intersessional period, to a presentation made by the subcommission during the forty-seventh session.

38. The subcommission held three meetings with the delegation of Portugal, during which it presented its preliminary views on some aspects of the submission, and the delegation presented its response to those views. The subcommission subsequently transmitted requests to the delegation relating to the geographic information system project, as well as additional requests for clarifications relating to the submission.

39. The subcommission decided that its members would continue to consider the submission during the intersessional period and that it would resume its consideration of the submission during the forty-ninth session.

40. The meetings of the subcommission during the forty-ninth session will be held from 28 January to 1 February 2019.

XI. Consideration of the submission made by Tonga in respect of the eastern part of the Kermadec Ridge[13]

Report of the subcommission

41. The subcommission, chaired by Mr. Campos, met from 15 to 19 October and from 19 to 21 November. During that period, it continued the main scientific and technical examination of the submission.

42. The subcommission held three meetings with the delegation of Tonga, during which the latter presented its responses as well as the data and information addressing the issues that were pending following the forty-seventh session. The delegation also provided several updates to its responses further to requests made by the subcommission during the forty-eighth session.

43. Pursuant to section 10.3 of annex III to the rules of procedure, the subcommission gave a comprehensive presentation to the delegation on its views and general conclusions arising from the examination of the submission. The delegation

[12] Submission made on 11 May 2009 and amended on 1 August 2017; available at www.un.org/depts/los/clcs_new/submissions_files/submission_prt_44_2009.htm.

[13] Submission made on 11 May 2009; available at www.un.org/depts/los/clcs_new/submissions_files/submission_ton_46_2009.htm.

confirmed in writing that it did not wish to avail itself of the opportunity to respond to the presentation by the subcommission provided for in section 10.4 of annex III to the rules of procedure.

44. The subcommission then finalized the draft recommendations, which were approved and transmitted to the Chair of the Commission on 21 November.

XII. Other matters

1. Trust funds

45. The secretariat informed the members of the Commission about the status of the trust fund for the purpose of defraying the cost of participation in its meetings of the members of the Commission from developing States. For the forty-seventh session, financial assistance had been provided to seven members of the Commission, for the total amount of approximately $135,000, including programme support costs. For the present session, an estimated total of $135,000 in financial assistance, including programme support costs, was being provided to seven members of the Commission.

2. Workshop

46. Two half-day meetings of all members of the Commission were held in a workshop format on: (a) scientific and technical elements of the Statement of Understanding Concerning a Specific Method to be Used in Establishing the Outer Edge of the Continental Margin,[14] in a follow-up on the first workshop held in 2017; and (b) other scientific and technical topics related to the establishment of the outer edge of the continental margin stemming from the consideration of several submissions.

3. Meetings of the Commission in 2019[15]

47. In 2019, the Commission will hold three sessions as follows: the forty-ninth session from 28 January to 15 March, with plenary sessions from 4 to 8 February and from 4 to 8 March; the fiftieth session from 1 July to 16 August, with plenary sessions from 29 July to 2 August and 13 to 16 August; and the fifty-first session from 14 October to 29 November, without plenary sessions.

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[14] See the Final Act of the Third United Nations Conference on the Law of the Sea, annex II.

[15] CLCS/105, para. 88.